

UNITED STATES DISTRICT COURT

for the
hudson District of VA
Chancery Court Division

NOV 12 2019
 JULIA C. DUDLEY, CLERK
 BY: CS
 DEPUTY CLERK

) Case No. 3:19CV169
)
) (to be filled in by the Clerk's Office)

Cedric Draper

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

QBLL Holdings LLC d/b/a GoPuff

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Cedric Draper</u>
Street Address	<u>PO Box 144</u>
City and County	<u>Lynchburg Campbell County</u>
State and Zip Code	<u>Virginia 24505</u>
Telephone Number	<u>276 806-4958</u>
E-mail Address	

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name GB LLC Holdings LLC dba GoPuff
 Job or Title (if known) Company, oversight (c/o) Colette Gallagher;
 Street Address 111 Harris Street Kaitlin Burke; Trent
 City and County Charlottesville Albemarle County Lee
 State and Zip Code VA 22903
 Telephone Number _____
 E-mail Address (if known) Kaitlin.Burke@gopuff.com; hr@gopuff.com; trent.
Lee@gopuff.com

Defendant No. 2

Name _____
 Job or Title (if known) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (if known) _____

Defendant No. 3

Name _____
 Job or Title (if known) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (if known) _____

Defendant No. 4

Name _____
 Job or Title (if known) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

Federal question Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

"*Break of Contract Law*"
 "Tort
 Law"
 "Pro se unrepresented
 in *forma paupris*"

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Cedric Draper, is a citizen of the State of (name) VA.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) GB LL Holdgs LLC dba GOPDF, is incorporated under the laws of the State of (name) Virginia, and has its principal place of business in the State of (name) PA.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Affirmation Statements → Petitioner affirm expenses upto lost profit where existing earning incur are lost by general monthly expenses and financial obligations which unlawful terminate for lost monetary money to fit existing obligations paid while 1099 employee

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- ① Petitioner claim breach of contract by termination
- ② Petitioner claim breach of contract by over-the-phone termination
- ③ Petitioner claims lost of profit by breach claim
- ④ Petitioner claims restitution by breach claim
- ⑤ Petitioner claims aggravated damages by violation of fiduciary duty of company from point to contest to be transferred to another subsidiary office.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Petitioner request under burden of proof proven by claims.

- ① Restitution order by money judgement for review and breach of contract
- ② Lost of profit judgement for review and breach of Contract
- ③ Aggravated order by money judgement for review and breach of contract
- ④ Job order by judgement by specific performance of transfer request and company compliance.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/12/19

Signature of Plaintiff



Printed Name of Plaintiff

Cedrick Draper

B. For Attorneys

Date of signing: _____

Signature of Attorney

unrepresented

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

GENERAL AFFIDAVIT

The within named person (Affiant), Carol Draper, who is a resident of Lynchburg City County, State of Virginia, personally came and appeared before me, the undersigned Notary Public, and makes this his/her statement, testimony and General Affidavit under oath or affirmation, in good faith, and under penalty of perjury, of sincere belief and personal knowledge that the following matters, facts, and things set forth are true and correct, to the best of his/her knowledge:

Affiant's Certificate

This applies to all information included to route forms and
civil complaints of consolidated petitions

- Complaint
- Attachments
- IFP
- Notice

Dated this 12th day of Nov, 20 19

(Signature)
Signature of Affiant

=====

State of Virginia
County of Ranoke

Subscribed and sworn to, or affirmed, before me on this 12 day of November,
20 19 by Affiant Carol Draper.

(Signature)
Signature of Notary Public

7265236

My Commission Expires:

RUSSELL WILLIAM SMITH JR. NOTARY PUBLIC COMMONWEALTH OF VIRGINIA MY COMMISSION EXPIRES: JULY 31, 2021 COMMISSION # 7265236
